

MINUTES

INDIANA BOARD OF VETERINARY MEDICAL EXAMINERS

MAY 28, 2008

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Dr. Welp called the meeting to order at 9:00 a.m. in the Professional Licensing Agency Conference Center Room 1, Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 15-5-1.1-6(c).

Board Members Present:

Ralph Welp, D.V.M. – Chairman
Richard Headley, D.V.M.
Robin Waltz, D.V.M.
Patricia Kovach, D.V.M.
Dawn Frank, D.V.M. – Vice Chairman
Frank Andrew, Consumer Member
Brett Marsh, D.V.M., State Veterinarian

Board Members Absent:

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Kristine Yarde, Assistant Board Director, Professional Licensing Agency
Phillip Thompson, Deputy Attorney General, Office of the Attorney General

II. ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda, as amended.

FRANK/KOVACH
Motion carried 5-0-0
Dr. Headley was not present

III. ADOPTION OF THE MINUTES FROM THE MARCH 26, 2008 MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes from the March 26, 2008 meeting of the Board.

FRANK/KOVACH
Motion carried 5-0-0
Dr. Headley was not present

IV. APPEARANCES

A. RENEWAL

B. PROBATIONARY

1. State of Indiana v. Todd Cooney, D.V.M., License No. 24004650A
Administrative Cause No. 2005 VB 0007

Dr. Cooney appeared before the Board, as requested, regarding his ongoing probationary status. Dr. Cooney reported he is still practicing and things are going well. He advised he is close to getting his DEA registration back. The Board noted his last urine drug screen on April 7th was negative but they still needed reports from his doctors. Dr. Cooney's next appearance is scheduled for July 23, 2008.

2. State of Indiana v. Carol E. Dartz, D.V.M., License No. 24003804A
Administrative Cause No. 99 VB 005

Dr. Dartz appeared before the Board, as requested, regarding her ongoing probationary status. The Board noted that Dr. Dartz is in compliance with her probation order. Dr. Dartz requested the Board to discontinue her daily use of Antabuse and just take it on certain occasions. Dr. Dartz has been taking Antabuse for sixteen (16) months and she submitted a letter to the Board, written by her doctor, stating that Antabuse may not be needed any longer. After discussion, the Board decided that the letter from her doctor would suffice and they are comfortable with Dr. Dartz deciding when and if it is necessary to use Antabuse. Dr. Dartz's next appearance is scheduled for July 23, 2008.

Board Action: A motion was made and seconded to allow Dr. Dartz to decide if and when she will take Antabuse and accept the letter from her doctor.

HEADLEY/KOVACH
Motion carried 6-0-0

3. State of Indiana v. Tess Peavy, D.V.M., License No. 24006005A

Dr. Peavy appeared before the Board with Counsel Paula Gordon. The Board was with the final monitoring report done again by Dr. Smith. The Board noted the report was again favorable. Dr. Waltz asked Dr. Peavy about her rabies vaccine record keeping. Dr. Peavy advised the Board that she is accredited and explained what she does. The Board reminded her that Indiana law requires the animal clinic name to be on the tag. Dr. Peavy advised she was going to start micro chipping the animals. This appearance and monitoring report completes the requirements of the terms and conditions of the Findings of Fact, Ultimate Findings of Fact, Conclusions of Law and Order filed on August 15, 2006.

C. APPLICATIONS

1. Bryan S. Bottorff, D.V.M.

Dr. Bottorff appeared before the Board, as requested, regarding his application for an Indiana veterinary license. Dr. Bottorff is a 2008 graduate of Purdue University and passed the NAVLE examination on December 4, 2007 and the law examination on April 29, 2008. On his application he answered "yes" to question #5b asking, "Have you ever been convicted of, pled guilty or nolo contendere to any offense, misdemeanor or felony, in any state?" Dr. Bottorff advised he pled guilty to a misdemeanor of Public Intoxication in October 2003.

Board Action: A motion was made and seconded to grant Dr. Bottorff a veterinary license.

WALTZ/ANDREW
Motion carried 6-0-0

2. Ann E. Lynch, R.V.T.

Ms. Lynch appeared before the Board, as requested, regarding her application for registration as a veterinary technician. Ms. Lynch is a 2007 graduate of the Indiana Business College and has passed the VTNE and law examination on January 18, 2008. On her application Ms. Lynch answered "no" to all questions but Ms. Vaught informed the Board that Ms. Lynch holds an Indiana LPN nursing license that was previously disciplined by the Indiana State Board of Nursing. The Board ordered Ms. Lynch to pay a fine of \$250.00 within ninety (90) days. Ms. Lynch informed the Board she paid the fine but Ms. Vaught noted that the Nursing Board's records are not showing it has been paid. The Board told Ms. Lynch to explain why her license was disciplined. Ms. Lynch stated in October 2005 she was employed at Woodbridge Health Campus and was suspended pending the results of a urine drug screen due to suspicion of diversion. Ms. Lynch said all of the narcotics were accounted for at the end of her shift but her supervisor claimed the next day there were some unaccounted for. Ms. Lynch said they never called her back to work and her employment was voluntarily terminated. She went to ISNAP for evaluation and was found to have no addiction issues. Ms. Lynch explained the same thing happened when she worked at Hickory Creek. Her drug test was negative and she was called back to work upon finding all of the drugs were accounted for. Ms. Lynch said the Nursing Board fined her \$250.00 for deception because she failed to answer "yes" on her license renewal application of failing to disclose the suspensions. Ms. Lynch advised she just made another error by not disclosing the Nursing Board disciplinary action on her veterinary technician license application. She was not trying to hide it.

Board Action: A motion was made and seconded to table their decision so that Ms. Lynch can clear up the matter with the Nursing Board and paying her fine. Ms. Lynch will need to make a personal appearance at the July 23, 2008 meeting.

WALTZ/FRANK
Motion carried 6-0-0

3. Jessica Rae Torok, D.V.M.

Dr. Torok appeared before the Board, as requested, regarding her application for veterinary licensure. Dr. Torok is a 2008 graduate of Purdue University and has taken and passed the December 8, 2007 NAVLE examination. On her application she answered "yes" to question 5b asking, "Have you ever been convicted of, pled guilty or nolo contendere to any offense, misdemeanor or felony in any state?" Dr. Torok advised when she was eighteen (18) years old she stole a lipstick on a dare from her friends. She expressed remorse for making that error.

Board Action: A motion was made and seconded to grant Dr. Torok a veterinary license upon taking and passing the law examination.

HEADLEY/FRANK

Motion carried 6-0-0

V. ADMINISTRATIVE HEARINGS

There were no administrative hearings.

VI. SETTLEMENT AGREEMENTS

There were no settlement agreements.

VII. NOTICE OF PROPOSED DEFAULT

There was no Notice of Proposed Default before the Board.

VIII. DISCUSSION

A. American Veterinary Medical Association

The Board reviewed the AVMA memorandum informing that full accreditation has been granted to the University College, Dublin Faculty of Veterinary Medicine in Ireland. The AVMA requests that state licensing boards recognize those who have graduated after September 20, 2007.

B. American Veterinary Medical Association

The Board took notice of AVMA letter announcing the provisional accreditation for the Vet Tech Institute at International Business College. The Board discussed their concerns with regards to the VTNE pass rates of new veterinary technician programs. Dr. Tony Rumschlag stated the pass rates are typical for a new program and 70% to 80% is common nationally. He explained to the Board that they are used to seeing the pass rates of Purdue graduates and that Purdue has the highest pass rate in the country.

C. American Association of Veterinary State Boards

The Board took notice of the AAVSB February issue newsletter. The newsletter discussed the new fees, beginning with the June 2008 VTNE administration will be \$130.00. Now candidates will also be allowed to use simple four-function calculators. The calculators will be provided with the test booklets and must be returned to proctors.

D. American Association of Veterinary State Board

The Board reviewed a memo concerning VTNE 2010 eligibility requirements. After December 31, 2010 a VTNE candidate must be a graduate of a veterinary technology program accredited by the AVME or CVMA or a program approved by the regulatory board of the jurisdiction where the examination is given.

IX. APPLICATION REVIEW

A. Endorsement

There were no endorsement applications for the Board to review.

B. Examination

There were no examination applications for the Board to review.

C. North American Veterinary Licensing Examination (NAVLE)

There were no NAVLE applications for the Board to review

D. Professional Corporation

There were no professional corporation applications for the Board to review

X. PROBATIONARY REPORT

1. Rachel Clark, D.V.M.

Dr. Clark submitted a list of counseling services, not counselors, within thirty (30) days from the date of the Order and the Board must select which counseling service she is to use. The Board chose St. Vincent Mercy Hospital Stress Center and Ms. Vaught will notify her of this choice.

XI. CONTINUING EDUCATION

A. Circle City Veterinary Specialty and Emergency Hospital

1. Avoiding Mistakes in Gastrointestinal Interpretation
April 9, 2008
Carmel, Indiana
Hours Granted: 2

B. Novartis Animal Health US, Inc.

1. One Day Flea Biology and Integrated Parasite Management Seminar
May 28, 2008
Indianapolis, Indiana
Hours Granted: 2

C. Veterinary Specialty Center of Indiana

1. Wound Management
June 18, 2008
Indianapolis, IN
Hours Granted: 2

D. Fort Dodge Animal Health- Division of Wyeth

1. 4th Annual Dairy Leaders Conference
May 14, 2008
Oregon, Ohio
Hours Granted: 5

E. Merial LTD.

1. Vaccines and Vaccinations 2008: The Facts vs. The Fiction
June 17, 2008
Fort Wayne, Indiana

Hours Granted: 1

XII. REPORTS

A. Consumer Complaints

Dr. Waltz reported that she reviewed approximately 8-10 complaints and recommended one (1) to be charged and another will possibly be charged. The remaining complaints will be closed.

B. Controlled Substances Advisory Committee- Dr. Kovach

Dr. Kovach stated she was unable to attend the last CSAC meeting but she did attend a teleconference involving Mark Timmis of the INSPECT Program. They reviewed user policies and it appears veterinarians are not a priority at this time because INSPECT is not collecting data on non-human patients.

C. State Veterinarian's Report- Dr. Marsh

- Due to feed costs horse welfare cases are continually reported because horses are starving.
- The Humane Society investigates abuse of animals in livestock marketing. If an animal goes down they are to be euthanized.
- A meeting has been scheduled in June with the rendering agency. Rendering facilities are limited and disposal is getting more challenging.
- TB training sessions are being hosted and Dr. Marsh is doing some of the training. There are positive deer 150 miles from the state line.
- The State meat inspection program will now receive a Federal grade as a result of legislation. The rules are being written.
- Three horses were EIA positive in Southern Indiana
- Viral Hemorrhagic Septicemia (VHS) is still being battled in the fish population in certain areas preventing import of some fish. They are working with the USDA to try and get some steelhead trout into Indiana.
- Global Vet Link provides electronic health certificates and they are looking into getting electronic forms for TB to help expedite this process for veterinarians.

XIII. OLD/NEW BUSINESS

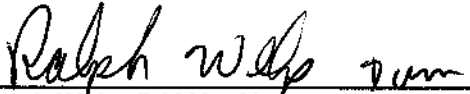
1. The Board discussed Indiana Horse Rescue
2. The Board discussed rabies clinics and issues with vaccinating animals. Dr. Waltz advised she has not had rabies clinics in her town for 20 years but said vets used to just keep the records for the animals they vaccinated and asked the other Board members if this is still acceptable. The Board discussed clinics today and recordkeeping since every pet store has vaccination clinics. They also discussed what type of an examination should be given to an animal because you are not supposed to vaccinate an unhealthy animal.
3. Ms. Vaught provided the Board with a list of practitioners that were chosen at random for the continuing education audit. She explained how the discipline now works under the law for those who are not in compliance.

XVI. OTHER ITEMS FOR CONSIDERATION

1. Ms. Vaught asked for volunteers to form a rules committee that can meet on the day of the board meetings. Dr. Headley, Dr. Frank, and Dr. Kovach volunteered to be on the committee.

XVII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana Board of Veterinary Medical Examiners adjourned at 1:30 p.m.


Ralph Welp, D.V.M., Chairman

7-23-08
Date


Dawn Frank, D.V.M., Vice Chairman

7.23.08
Date